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OCT 12 2006

REMARKS

1. Applicant acknowledges the Examiner's final rejection of claims 1-16 under 35 USC 103(a) over Yarnell et al (US 5,610,217) in view of Lee (US 5,135,687). Applicant submits the current amendments to the claims pursuant to 37 CFR §1.116(b) to avoid the rejections set forth in the last Office action, incorporate the suggestions made by the Examiner in the phone interview, and place the case in condition for allowance, or to simplify the issues for appeal. Applicant therefore requests entry and examination of the above amendment.

2. Claims 6-8 are cancelled without prejudice.

Claims 1, 13 now includes limitations from original claims 7 and 12.

In claims 1, 13, 15, & 17, the limitation of primer has antecedent basis in spec at page 10 line 31, and page 13 line 18.

In claim 18, the RFL limitation has antecedent basis in spec at page 11 line 3 and page 13 line 19.

Claim 4 is currently amended to depend from claim 3.

Antecedent basis for the 13% composition limitation of claims 4 and 20 is found in spec at page 13 line 10.

Claim 10 is currently amended to limit the members of the group of elastomers.

Claim 11 is currently amended to depend from claim 9 and properly refer to antecedents.

Claim 12 is currently amended to recite a further component on the load carrier cord. Antecedent basis is found in spec at page 11 lines 5-8 and page 13 lines 17, 21.

Claims 17-23 are new and are believed to introduce no new matter.

Antecedent basis for claims 17-20 was mentioned above.

Antecedent basis for claims 21-23 is found in spec at page 13 lines 5-9 and page 8 lines 9-16.

Applicant submits that this clarifying limitation distinguishes the instant invention from the

2. Applicant acknowledges the Examiner's rejection of claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over Yarnell et al. (US 5,610,217) in view of Lee (US 5,135,687), but once again respectfully traverses this rejection. Applicant maintains the previous arguments and offers the following additional arguments for patentability over the cited references in response to the latest rejection.

A prima facie case of obviousness requires "The references ... must suggest the desirability ... of making the combination" and "there must be a reasonable expectation of success" (MPEP § 706.02(j)). The Applicant respectfully submits that the Examiner fails to make a prima facie case of obviousness by not presenting a "line of reasoning" (Id.) from "the references themselves or the knowledge generally available to one of ordinary skill in the art." (Id.) The Applicant would appreciate "that the written record clearly explain the rationale" (Id.) of the rejection, in particular what part of the Lee reference is relied upon for the "improved strength" motivation to combine or the "pulp", and the basis for expectation of success in belts.

Even if a prima facie case were made, Applicant maintains that unexpected results presented in the specification and the arguments presented previously rebut obviousness.

3. Nevertheless, the amendments to the claims are offered without prejudice in order to move prosecution forward. The following briefly states the reasons the amendments are believed by Applicant to render the claims nonobvious over Yarnell in view of Lee.

Claim 1 now recites a preferred narrow range of 7% to 20% PVP in the fiber, not suggested by Lee as being useful in "*an endless belt*". Claim 1 also recites a "*cord treated with at least a primer and an adhesive*." Lee only uses a single adhesive treatment (Col 10 lines 32-35), and Lee teaches away from such multi-layer adhesive treatments in Col 10 line 25-27, recommending "a minimum of adhesion promoting subcoating material." Lee also fails to suggest use of the fiber in "*an endless belt*". Lee

evaluates only "unflexed rubber" specimens (Col 7 line 18). Belts are subject to extreme flex (spec page 1 line 20).

Claim 4 recites a preferred composition of PVP/aramid cord, "13%" by weight of aramid. This amount is not mentioned or suggested as having any particular significance or utility by Lee.

Claim 10 lists suitable elastomers not mentioned or suggested as compatible with PVP/aramid fiber in Lee.

Claim 11 recites "*ethylene alpha olefin elastomer*" which is a preferred composition for the elastomer, but Lee gives no indication that the PVP/aramid fiber would be particularly suited to such an elastomer in an "*endless belt*".

Claim 12 recites a third adhesive layer of "*overcoat or rubber cement*" which is not mentioned or suggested in either Lee or Yarnell. Lee teaches that only minimal adhesion promotion is needed for PVP/aramid fibers.

Claim 17 and 18 are new claims reciting additional limitations on the adhesive system for the inventive belt's cord. The use of isocyanate or epoxy primers is not disclosed in Lee or Yarnell. Lee teaches away from use of primers by suggesting a single-step treatment of epoxy-based RFL resin (col 10 line 34) is sufficient for rubber adhesion.

Claim 13 is an independent claim now reciting features mentioned above in connection with claim 1 which are not present or suggested by the cited references.

Claim 15 is to a method for "*increasing the flex fatigue resistance and durability of a power transmission belt*". Lee offers no suggestion, or expectation of success, that his PVP/aramid fiber would be useful for this new use. As explained in the spec, there is a need for **both** increased durability (or load capacity) **and** flex fatigue resistance. (page 1 last para to page 2 first para). It was unexpected for belts with no apparent improvement in tensile properties (see Tables 1 and 2) to simultaneously exhibit both improved durability and flex fatigue resistance. This new method is the subject of claim 15 and 19-23.

Claims 19-20 recite features previously discussed in relation to belt claims.

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Claims 21-23 recite a preferred cord construction disclosed in the examples of the spec. 4 yarns of PVP/aramid fiber are combined or twisted or plied as a step in the claimed method. These steps are not taught or suggested by Lee or Yamell.

Other claims not mentioned are dependent claims, and should therefore be allowable as depending from allowable claims.

4. In light of the above, the Applicant respectfully requests that the obviousness rejection be withdrawn and all claims be allowed as currently amended. If the Examiner is of another opinion, the Applicant respectfully requests opportunity to make suitable amendments or Examiner amendments to place claims in condition for allowance.

FEE STATEMENT

Any fees which may be required as a result of the amendments made herein, are authorized to be charged to Assignee's deposit account number 07-0475.

In light of the forgoing amendments and remarks, favorable reconsideration of the allowability of all claims is respectfully solicited. Otherwise, a phone interview with the Examiner is requested.

Respectfully submitted,



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Dated: Oct. 3, 2006